

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DAVID J. KATHRENS,)	CASE NO.	C05-1831-JCC
)		(CR03-515-JCC)
Petitioner,)		
)		
v.)		
)	ORDER DISMISSING § 2255 MOTION	
UNITED STATES OF AMERICA,)		
)		
Respondent.)		

The Court, having reviewed petitioner's § 2255 motion, the government's response, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, any objections thereto, and the remaining record, does hereby ORDER:

- (1) The Court ADOPTS the Report and Recommendation;
- (2) Petitioner's § 2255 motion (Doc. #1) is DISMISSED as untimely under 28 U.S.C. § 2255(1); and
- (3) The Clerk is DIRECTED to send a copy of this Order to petitioner, to counsel for respondent, and to Judge Theiler.

DATED this 2nd day of June, 2006.



UNITED STATES DISTRICT JUDGE